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March 26, 2013

The Honorable Tom Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

RE: FNS-2011-0019

Dear Secretary Vilsack:

I am writing today with concern over the proposed rule, "National School Lunch Program and School Breakfast Program: Nutrition Standards for All Foods Sold in School as required by the Healthy, Hunger-Free Kids Act of 2010."

In concept, the intentions of this proposed rule – to improve the well-being of our nation's children – are sound. That is one of the reasons why I declared 2013 as The Year of Well-Being in Wisconsin, to highlight and promote wellness efforts in my state. However, the rule brings far too much federal bureaucracy into our local schools, rather than allowing local school districts and parents to make informed decisions. I am particularly concerned with specific components of this rule that place strict limitations on healthy foods from my state, including dairy and cranberry products.

The proposed rule states that children's current consumption of dairy does not meet dietary recommendations (*page 39*) and children 9 years of age and older consume less than one cup of milk per day (*page 39*). The Dietary Guidelines recommend 3 daily dairy servings for those ages 9 and older. The American Academy of Pediatrics, a source the rule cites when it comes to juice recommendations, also recommends that children should consume approximately 2 to 4 cups of milk each day depending on certain circumstances. Numerous scientific studies detail the need for children to consume more calcium. Despite that, this rule reduces the access children have to calcium by limiting cheese and milk consumption.

Cheese is an excellent source of calcium and protein. Like most foods, when it is eaten in moderation, it is a part of a well-balanced diet. It is unnecessary and rigid to only allow "reduced fat cheeses" that also meet the rule's trans-fat, calorie, sugar and sodium standards for all school meals and a la carte items (*pages 5, 31*). Depending on the health study you read, it may even be ill-advised.

I also have concerns about the milk limits in this rule which restrict the type and portion sizes of milk available in schools. This rule only allows for milk alternatives, plain low-fat milk, plain fat-free milk and flavored fat-free milk to be offered in schools. The rule does not allow for low-fat flavored milk or whole milk to be served or purchased during the school day. Allowing these flavored low-fat milks would still be consistent with Section 202 of the Healthy, Hunger-Free Kids Act of 2010 and the Dietary Guidelines. Local school districts should still have the option to serve other types of milk not listed in the rule as they offer excellent sources of much-needed calcium.

In addition to being the Dairy State, Wisconsin is also the number one producer of cranberries in the United States. This fruit is one of the best sources of disease-fighting antioxidants as well as vitamin C and fiber. It also offers anti-inflammatory and anti-cancer benefits. Research suggests that cranberries may also reduce the risk of cardiovascular disease by lowering “bad” cholesterol and blood pressure and helping to inhibit blood clot formation. On top of these benefits, one cup of this super food is only 45 calories.

I hope that the federal government remembers the value of cranberries nationwide and ensures that they are not minimized or eliminated from being served in schools (*page 6*). Dried cranberries should be exempt from the total sugars standard (*page 33*).

Wisconsin’s dairy and cranberry farmers are proud to dedicate their lives towards producing quality products for our state and nation. I hope that this rule will continue our country’s commitment to the well-being of our nation’s children and our farmers by expanding the allowed consumption of dairy and cranberry products.

This rule must also keep in mind the diversity of American’s diets throughout the United States which can vary regionally based on the climate and crops grown. For example, Wisconsin children may consume more cranberries compared to Florida children who may consume more citrus. I encourage you to take this factor into consideration as discussion continues on food requirements in schools. If this proposed rule moves forward at the federal level, I ask that these concerns are addressed before the rule is finalized.

Serious school nutrition problems should be resolved individually with the specific local school district rather than unnecessarily impacting everyone. If the USDA wants to be further engaged on school nutrition, a better option would be providing information to schools on healthier food options and offering teachable lesson plans for healthy eating. Additionally, the USDA could aid in the dissemination of best practices among schools and state government to encourage healthy living.

Encouraging children to eat a well-balanced meal is an important mission. However, for a country that values freedom, we must allow for an element of personal choice and local responsibility.

Sincerely,

A handwritten signature in black ink, appearing to be 'Scott Walker', with a stylized, sweeping initial 'S' and a horizontal line extending to the right.

Scott Walker
Governor